

Bunn's vehicle rental system includes communication devices installed on rental vehicles 30 (Fig. 1) and on a vehicle rental bus (Fig. 5). Bunn's system does not include emergency or towing vehicles or any devices that may be installed on such vehicles. Bunn does not indicate that his central computer (HQ computer) can communicate with emergency or towing vehicles, or can implement a communication protocol to transmit information based on traffic conditions within the meaning of Claim 70 to the emergency or towing vehicles or any other vehicles. A typical way to call a towing vehicle is to pick-up a phone and talk to an operator of a towing company. Bunn does not provide any improvement on this method.

Under MPEP 2143 and 2143.01, a suggestion to modify the references must be found "in the prior art, not in applicant's disclosure". If a person skilled in the art would find it obvious in hindsight to modify Bunn after reading Applicant's disclosure to allow Bunn's HQ computer to push information to a towing vehicle, this does not imply obviousness under 35 U.S.C. 103.

The Examiner refers to Bunn's column 11, lines 21-25, reciting a "presentation of said information and merchant services being triggered by said local controller upon detecting that said vehicle is within or approaching one of a plurality of pre-stored geo-locations". The Examiner states that Bunn's "information for display in the mobile device is ... pre-stored in the memory of the mobile device processor; the information may be undated from the HQ by cell phone communication at times which are transparent to the user (col. 9, lines 10-15)".

It is respectfully pointed out that Bunn's the pre-stored information for display relates to items available for purchase in a credit card transaction and not to traffic conditions as recited in Claim 70. See Bunn's col. 9, lines 16-20 (the customer wishing "to make a purchase of a particular item displayed").

Claim 71 depends from Claim 70.

Claim 74 is believed to be allowable for reasons similar to the reasons given above for Claim 70.

Claim 75 depends from Claim 74.

Claim 78 relates to "operating conditions of a vehicle" rather than traffic conditions, but is believed to be allowable for reasons similar to the reasons given above for Claim 70.

Claims 79-80 depend from Claim 78.

Claim 83 is believed to be allowable for reasons similar to the reasons given above for Claim 78.

Claims 84-85 depend from Claim 83.

Claim 88 relates to "maintenance conditions of a vehicle" rather than traffic conditions, but is believed to be allowable for reasons similar to the reasons given above for Claim 70.

Claims 89-90 depend from Claim 88.

Claim 93 is believed to be allowable for reasons similar to the reasons given above for Claim 88.

Claims 94-95 depend from Claim 93.

Any questions regarding this case can be addressed to the undersigned at the telephone number below.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Director of USPTO, P.O. Box 1450, Alexandria, VA 22313-1450 on October 1, 2003.

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